

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:08-cv-108-C**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
KENNETH D. SMITH,)
)
Defendant.)
)

THIS MATTER is before the Court which finds as a fact that all matters in controversy set out in the pleadings have been agreed upon by the parties, and that the plaintiff has agreed to accept the principal sum of \$4,571.09, plus 7.00 percent pre-judgment interest, accrued pursuant to the terms in the complaint totaling \$6,580.77 as of March 31, 2008, and continuing to accrue until the date of judgment herein at the rate of 7.00 percent per annum; with interest to accrue from the date of judgment at the determined Treasury post-judgment interest rate computed daily and compounded annually, together with \$350.00 in costs, as settlement in full accord and satisfaction thereof; said amount to be paid as follows:

Defendant acknowledges that he is truly and justly indebted to the United States in the total amount of \$6,580.77 as of March 31, 2008. The defendant agrees to pay the amount of \$150.00 per month consecutively with the first payment received on May 15, 2008, and like payments received on the fifteenth day of each month thereafter and continuing until paid in full or upon review of yearly financial status. Interest shall accrue thereon at the determined Treasury post-judgment interest rate computed daily and compounded annually.

In addition to the regular monthly payments, the defendant agrees that the Plaintiff will submit this debt to Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payments the defendant would normally receive may be offset and applied to this debt.

If the defendant fails to make any payment(s) as herein set forth, without any notice to the defendant, the amount of the balance at the date of default with all accrued interest shall become due and payable, including any further costs incurred to attain collection.

NOW, THEREFORE, BY CONSENT, IT IS ORDERED, ADJUDGED AND DECREED that the plaintiff have and recover of the defendant the principal sum of \$4,571.09, plus 7.00 percent pre-judgment interest, accrued pursuant to the terms in the complaint totaling \$6,580.77 as of March 31, 2008, and continuing to accrue until the date of judgment herein at the rate of 7.00 percent per annum; with interest to accrue from the date of judgment at the determined Treasury post-judgment interest rate computed daily and compounded annually, together with \$350.00 in costs, said judgment to be paid pursuant to the schedule set forth above.

Signed: April 9, 2008

A handwritten signature in black ink, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
Chief United States District Judge

